

1 U.S. DEPARTMENT OF ENERGY ENVIRONMENTAL
2 IMPACT STATEMENT
3 FOR DEPLETED URANIUM HEXAFLUORIDE
4 CONVERSION FACILITIES
5 AT PORTSMOUTH, OHIO AND PADUCAH, KENTUCKY
6

7 SCOPING MEETING
8

9 November 28, 2001.
10

11 6:00 p.m.
12

13 Riffe Beaver Creek Vocational School
14 175 Beaver Creek Road
15 Piketon, Ohio 45661
16

17 FACILITATORS: Darryl Armstrong

18 Harold Munroe

19 Kevin Shaw

20 Gary Hartman
21
22
23
24

1 --0--

2 PROCEEDINGS

3 --0--

4 MR. ARMSTRONG: I have 6:00,
5 according to my watch. Good evening, ladies
6 and gentlemen. If you'll please take your
7 seats, we'll get started. This meeting is
8 now officially convened.

9 On behalf of DOE, we thank you for
10 attending the environmental impact
11 statement, or EIS, scoping meeting this
12 evening for the depleted uranium conversion
13 facilities. My name is Darryl Armstrong. I
14 am an independent and mutual facilitator
15 hired by agencies such as the DOE for
16 meetings such as this conducted throughout
17 the United States. I'm a small business
18 member of UMay. I live and work out of
19 Eddyville, Kentucky. I am not an employee
20 or a representative of the DOE, or any other
21 federal or state agency, nor am I in any
22 kind of decision-making role.

23 My responsibility this evening is to
24 ensure that we start this meeting on time

1 and that we end this meeting on time. I am
2 responsible for ensuring that each and every
3 person that wishes to speak on this subject
4 tonight has the opportunity to do so. To
5 accomplish this, I will need your help, and
6 I'll explain in a few minutes how you can
7 assist me in helping this meeting be
8 successful and how, by working together, we
9 can accomplish the task of getting everyone
10 who wishes to speak on the public record.

11 The purpose of tonight's meeting is
12 twofold. First, to provide you an updated
13 information on this project and, second, to
14 get your comments and input on the
15 environmental impact statement, which is
16 also known as a EIS, that the DOE is
17 preparing. The environmental impact
18 statement concerns the construction,
19 operation, maintenance, and decontamination
20 and decommission of the depleted uranium
21 hexafluoride facilities in Portsmouth, Ohio,
22 and Paducah, Kentucky.

23 As required by law, a notice of
24 public intent was published in the Federal

1 Register on September 18, 2001. The notice
2 is also available in the DOE public meeting
3 rooms, which are also called at some times
4 information resource centers, and can be
5 viewed at the Internet web site.

6 Is there anyone in the room now who
7 does not understand the purpose of tonight's
8 meeting?

9 Before I provide you a little
10 background, let me ask, is there anyone who
11 needs a set of the fact sheets, a brochure?
12 They are available over at the presentation
13 table, I believe, right over to the left
14 here where Harold is sitting. These fact
15 sheets are available for your use this
16 evening and will provide you some valuable
17 information.

18 A little background. The Department
19 of Energy, also known as DOE -- and because
20 this is a federal program, you will here a
21 lot of acronyms tonight. If you don't
22 understand those acronyms, please stop and
23 ask us. DOE has about 700,000 metric tons
24 of denuded uranium hexafluoride stored in

1 about 650,000 -- stored in cylinders in
2 Paducah, Kentucky, Portsmouth, Ohio, and at
3 K-25, which is now another one that is the
4 Eastman, Tennessee Technology Park in Oak
5 Ridge, Tennessee.

6 The notice of intent, which is also
7 called the NOI, lists DOE's preferred
8 alternative. In other words, what the DOE
9 would prefer to do is this, they would
10 prefer to construct two uranium hexafluoride
11 conversion facilities. One of the
12 facilities would be located in the Paducah
13 gaseous diffusion plant in Paducah,
14 Kentucky, and the other would be located at
15 the Portsmouth gaseous diffusion plant in
16 Portsmouth. The facility's technology park
17 in Oak Ridge would be moved to Portsmouth,
18 Ohio, for conversion.

19 Now, prior to beginning the comment
20 period this evening, this is how the agenda
21 will flow. The DOE local acting site
22 manager, Harold Munroe, will have some
23 introductory comments. I will introduce
24 Kevin Shaw from the DOE environmental

1 management in Washington and he will update
2 everyone about their progress. When
3 Mr. Shaw is finished, I will return to the
4 podium to begin a question-and-answer
5 session and a formal comment period.

6 As I have said, the DOE is asking
7 for your comments, your ideas, your
8 suggestions, and questions about the
9 proposed scope of the environmental impact
10 statement, including the preliminary list of
11 alternatives and issues to be considered.

12 Those of you who wish to come
13 forward and speak on this subject should
14 first make sure you have registered at the
15 table here at the door. Those registration
16 sheets will be used to call you to the
17 microphone to speak.

18 Now let me ask the lady that was
19 registering, how many folks did we end up
20 having?

21 HEIDI HARTMAN: Right now there are
22 two.

23 MR. ARMSTRONG: Right now there are
24 two. Since there are only two people who

1 wish to speak, I will be very informal and
2 set no time limit for discussion. When you
3 have finished your concluding remarks -- or,
4 I ask that you would please summarize. I
5 will ask that you please do summarize your
6 remarks. Then I will call the next speaker.
7 If you have written comments, I would ask
8 that you provide it to us, and we will see
9 that it's entered into the record.

10 If you have comments, questions, or
11 ideas that you wish to share, but don't wish
12 to speak at this microphone -- which I will
13 bring to you now since this is a pretty
14 informal meeting -- at this stage you will
15 find comment sheets over at this table,
16 which are available for you to write your
17 comments on or your questions on and return
18 them to Mr. Shaw, either by tonight --
19 either tonight or by mail or by fax.

20 And you should be aware that this
21 meeting is being transcribed and an official
22 document will be prepared from the record.
23 That means that everything that is said
24 tonight will be recorded and placed into the

1 official document. Our court reporter this
2 evening is Dawn Morrison. She's with
3 Professional Reporters, Inc., out of
4 Columbus, Ohio.

5 Is there anyone now who does not
6 understand the process that we will follow
7 this evening? As interested citizens and
8 tax payers, this scoping meeting provides
9 you the opportunity to be updated on the
10 status of this project by those people
11 responsible for this project. It also,
12 ladies and gentlemen, seeks your public
13 involvement by providing you the opportunity
14 to make your comments or remarks and get
15 your questions or issues into the public
16 record.

17 This record will be reviewed and all
18 information gathered at these meetings will
19 be considered in the final analysis. The
20 transcripts from this meeting will be made
21 available in the project web site, and that
22 address is on the back of this brochure
23 (indicates). A scoping summary report will
24 also be prepared and be made available at

1 the same web site.

2 To remind everyone, the outcome of
3 this meeting tonight is a written report of
4 your comments, questions, and suggestions on
5 the proposed code of work of the EIS. This
6 meeting is provided to provide you, as an
7 interested member of the public, to provide
8 that input in an orderly and systematic
9 manner.

10 Is there anyone that doesn't
11 understand, then, what we expect to get out
12 of the meeting tonight?

13 This is where I need your assistance
14 to ensure that everyone who wishes tonight
15 has the opportunity to be heard. Be sure,
16 if you would, to have signed up at the
17 registration table.

18 When I begin the public comment
19 period, I will first ask as a courtesy if
20 there are any public officials at the state
21 and local level who wish to speak. When I
22 have done that, I will ask those who have
23 registered to speak. Please note that there
24 will be no sharing time or giving of time to

1 other participants. All people who wish to
2 speak will be asked to conclude their
3 remarks, if their remarks get too lengthy,
4 and I will thank you for doing so.

5 At the end of the speakers, I will
6 ask if there is anyone who would like to
7 speak that has not signed up, and I will
8 also ask if there is anyone who wishes to
9 extend their remarks.

10 Is there anyone who does not
11 understand how the process of the comment
12 period will then flow? Then let's begin
13 with a welcome and introductory comments by
14 Harold Munroe, the DOE acting site manager.

15 MR. MUNROE: Thank you, Darryl. I
16 want to welcome all of you to this very
17 important gathering. Again, as Darryl
18 mentioned several times, it's an opportunity
19 for you stakeholders, the folks who are
20 involved in the area, to come forth and give
21 us your comments, your input, your
22 suggestions, your ideas. They're very
23 important to us.

24 The other thing I want to mention,

1 my wife wants to make sure you all knew that
2 the name is "acting site manager," so that
3 means I will not be here so long. I,
4 hopefully, get to go back home.

5 I appreciate all of you coming and I
6 look forward to hearing your ideas and
7 comments. Thank you very much.

8 MR. ARMSTRONG: Thank you,
9 Mr. Munroe. The next speaker this evening
10 will be Kevin Shaw with the DOE, and I would
11 like to ask if you wish, please, to hold any
12 questions that you might have until the end
13 of Mr. Shaw's presentation, since many of
14 the questions you may have may be answered
15 throughout his presentation. If you would
16 please just jot those questions down on the
17 back of the fact sheet, and we will get to
18 them in a formal session at the end of this
19 presentation. However, if you have need for
20 clarification on something, for example,
21 there's an acronym you don't understand,
22 please raise your hand, and I'm sure Mr.
23 Shaw will recognize you and clarify the
24 acronym for you.

1 When Mr. Shaw is finished, I will
2 return and conduct a formal
3 question-and-answer session about his
4 presentation, and then we will begin the
5 formal comment period. Kevin?

6 MR. SHAW: Thank you, Darryl.
7 Everybody hear me? Can everybody hear me
8 without this thing? Okay. I usually talk a
9 little bit better without this. Again, my
10 name is Kevin Shaw. I am the DOE's program
11 manager through the Cleveland --you can't
12 hear me? Sorry. I am the program manager.

13 Now, one acronym I will use a lot,
14 DUF-6, which simply means uranium
15 hexafluoride. Again, I'd like to thank you
16 folks for taking time out of your busy
17 schedules to meet here tonight. And I think
18 tonight I'd like to introduce people who are
19 going to be very much involved in preparing
20 this environmental impact statement, the
21 EIS.

22 First, the document manager, a
23 gentleman by the name of Gary Hartman.
24 Gary -- he's right back here. Gary is with

1 the Department of Energy at the Oak Ridge
2 operations office. Gary will be supported
3 by a team of folks from Argonne National
4 Laboratory. Lead writer is Mr. Fred
5 Mannette, who is up here doing the slides
6 for me, and he is supported on GASPER; Heidi
7 Hartman, and -- let's see, where is -- Halil
8 Avci and Marsha Goldman.

9 I've also introduced these people,
10 because if you haven't got the point yet,
11 public speaking is not exactly one of my
12 strong points. So if I happen to go along
13 and not -- fully engage my mouth and not
14 engage my brain, they're going to raise
15 their hand and say, Kevin, what is this?

16 With that, let's go to the next
17 slide. That's really a great slide. It
18 doesn't show up very well, does it? Let me
19 tell you what I'm trying to say in this
20 slide. Since 1980 the denuded uranium
21 program has been part of what the Department
22 called uranium programs, and the
23 responsibility for those uranium programs
24 has been within the Department's Office of

1 Nuclear Science and Technology. In fiscal
2 year 2001 Congress decided to combine two
3 funding accounts, the D and E fund, which is
4 the monies that come and pay for
5 environmental cleanup going on at the
6 Paducah, Oak Ridge, and Portsmouth gaseous
7 diffusion sites, and the monies which are
8 used to pay to support the uranium program
9 activities. This fund was called the
10 uranium facilities maintenance and
11 remediation form, or UFMR, and Congress
12 placed the responsibility for managing these
13 funds within the Office of Environmental
14 Management. Therefore, the Department
15 decided, from a management aspect, to shift
16 the responsibility for the uranium program,
17 including the DUF-6 program, from Nuclear
18 Energy over to the Office of Environmental
19 Management.

20 I know you can't see this very well,
21 so what we have here is this -- the
22 assistant of the sector of environmental
23 management right here. This area right here
24 is the office of site closure, EM30, and the

1 uranium program ended up in the Oak Ridge
2 Office of Site Closure, or EM32.

3 This is the DUF-6 management
4 program's mission statement. Can everybody
5 in the back read this? I'll read it if you
6 need to. Now, it's a standard mission
7 statement, but what makes it very, very
8 important is the inventory.

9 Next slide.

10 And when I say, "the inventory," I
11 mean a lot of inventory: 57,633 cylinders,
12 704 geometric tons of depleted uranium
13 hexafluoride. Now, what does that all mean?
14 Well, a cylinder is about 12 feet long,
15 about 4 feet in diameter, circle, about the
16 length of the size of one of these new VW
17 Beetles. But it weighs -- it's the
18 equivalent of -- one of these cylinders is
19 the equivalent to the weight of 12 Beetles.
20 The material is that dense. How many
21 cylinders does that represent? If you line
22 up those cylinders end to end, it represents
23 136 miles. It takes up an area of
24 approximately 43 acres, between three sites.

1 The weight represents approximately 1/10 of
2 the weight of the Great Pyramid, six
3 aircraft carriers. It's a lot of stuff.

4 Next slide, please.

5 Why are we concerned about this?

6 Well, we've accumulated the cylinders over
7 50 years, and the conditions that we've
8 maintained these cylinders in has been --

9 (Noise) -- did I do that? Thank you,
10 Darryl. We've had breaches, cylinders
11 rusting, corroded conditions. The yards are
12 not that great. I don't know if you can see
13 this in the back, but this is gravel quartz,
14 and this cylinder is actually coming into
15 contact with the quartz, and this is wood
16 shock splitting in the back. Some pretty
17 exaggerated conditions.

18 We've been criticized for it by the
19 regulators -- State of Ohio, Tennessee,
20 Kentucky -- called the Defense Nuclear
21 Safety, or what I call the Defense Board.
22 We've addressed many of the issues -- not
23 completely begun to -- with the Defense
24 Board. We've even been able to close out

1 the 95-1 recommendation in December of 1999.

2 Next slide, please.

3 What I'm leading up to say is that
4 cylinder management is a big deal as far as
5 the DUF-6 program is concerned, and we've
6 made some significant progress. You can see
7 this individual is preparing one of the
8 skirts for painting. We've got concrete
9 yards now where we inspect the cylinders, so
10 people can actually walk down roads and do
11 inspections of the cylinders. We're not
12 where I want them to be yet, but we're
13 working at it.

14 And I bring this up again and again
15 in all the meetings that I go to in that
16 cylinder safety, cylinder management, is the
17 core of this whole program. If we don't
18 keep the cylinders safe, we won't be doing
19 the conversion, we'll be addressing the
20 safety of the cylinders first, and then --
21 next slide.

22 We understand, though, that we can't
23 keep storing these things forever. We need
24 to do something with them. So back in 1994

1 we started a neater approach with respect to
2 determining what the long-term management of
3 depleted uranium hexafluoride the Department
4 had. It's a two-tiered approach. The first
5 tier was the programmatic environmental
6 impact statement, PEIS. The second is the
7 site-specific EIS, which we're about to
8 embark upon right now.

9 Next slide, please. You folks in
10 the back read that? People saying --
11 nodding their heads back and forth. Okay.

12 The PEIS -- and the record of
13 decision associated with it were called ROD.
14 The PEIS took a look at these alternatives:
15 No action, continued storage of the DUF-6,
16 storage of the oxide, use of the storage
17 oxide, use of the oxide, but not at any site
18 location. It was very generic. It was just
19 taking a look at different types of
20 alternatives.

21 We published a draft PEIS December
22 1997, and in that draft PEIS we stated
23 that -- what we would prefer to do. The
24 Department was not to begin conversion until

1 we identified use for the converted
2 material. Got more than 600 comments about
3 it in that draft PEIS. The vast majority of
4 the comments were, don't wait for use, begin
5 conversion.

6 The final PEIS was issued in April
7 '99, and it basically said the preferred
8 alternative for the final PEIS was, begin
9 conversion as soon as possible. It didn't
10 say where, it just said, begin conversion as
11 soon as possible.

12 The record of decision was issued in
13 August of 1999. The record of decision says
14 begin conversion promptly, and the
15 conversion facilities built should be
16 consistent with the plan submitted in
17 response to Public Law 105204 and consistent
18 with NEPA.

19 Next slide.

20 Let me say a few words about Public
21 Law 105204. It was a law issued sometime in
22 July 1988, sometimes called the McConnell
23 Act, which directed the Department to
24 prepare a plan -- that's all, just prepare a

1 plan -- to establish facilities that will
2 treat recycled DUF-6 inventory. Facilities
3 are to be built at Portsmouth and Paducah,
4 and construction was to begin by January 31,
5 2004. The final plan was submitted to
6 Congress in July of '99, and that plan was
7 incorporated into the record of decision for
8 the PEIS that was issued in August '99.

9 Next slide.

10 In October of 2000 we issued an RFP
11 to design, build, and operate for a period
12 of five years conversion facilities, one at
13 Portsmouth, one at Paducah. The design of
14 these conversion facilities needed to be
15 such that the Paducah facility would have
16 the capability of converting all the
17 material at Paducah, Kentucky, within 25
18 years. The design of the Portsmouth
19 facility must be such that it can convert
20 the amount of material that's here in
21 Portsmouth and the material that is
22 transferred from Oak Ridge up here in a
23 25-year period also.

24 These are the other major aspects of

1 the contract once it's awarded: Maintain
2 the DUF-6 inventories and, also, the
3 conversion program inventories. A key note
4 here, or point, is that we've only allowed
5 the conversion contractor six months' worth
6 of the storage on-site for the conversion
7 process. That means that if they don't have
8 a use for the material, they package it up
9 and they send it to a disposal site. The
10 other aspects of the contract: Transporting
11 the cylinders from ETP Oak Ridge up to
12 Portsmouth for conversion, arranging for the
13 transportation of the excess material,
14 conversion material, to appropriate disposal
15 facilities.

16 The contract is really a
17 performance-based contract. We're not
18 necessarily going to tell the conversion
19 contractors how to do their work, but we
20 have sent some performance program requests,
21 and two very important ones is construction
22 needs to begin by January 2004 and the
23 cylinders need to be transported out of Oak
24 Ridge by December 2009.

1 Next slide.

2 So now we're to the point where this
3 slide is similar to the other slide that I
4 showed you with respect to the PEIS and the
5 ROD. In the NOI for the EIS, we've proposed
6 the following alternatives: No action
7 alternative, which is a NEPA requirement;
8 one plant -- and one plant would be built
9 either at Portsmouth or Paducah, the two
10 plants' option, which is building one both
11 at Portsmouth and Paducah, which is our
12 preferred option.

13 We're also going to be taking a look
14 at existing conversion capabilities. These
15 are commercial fuel fabricators in the
16 United States that have the capability of
17 taking DUF-6 to an oxide.

18 One of the things we're hoping to
19 get from the public is, are there other
20 possibilities, are there other alternatives
21 that you feel we should consider, or are we
22 looking at too many ideas? Likewise, these
23 are the requirements, the issues we plan to
24 evaluate associated with performing any of

1 these alternatives: The construction and
2 operations, maintenance and D and D of the
3 facility, transporting the cylinders from
4 Oak Ridge to a conversion site. And we'd be
5 taking a look at transporting both to
6 Portsmouth and to Paducah. That's part of
7 the NEPA program. We need to look at all of
8 the alternatives and, likewise, the
9 transportation of conversion products not
10 being officially used to a disposal site.
11 Again, the question we would ask of you
12 folks: Is there anything else that we
13 should be considering?

14 Finally, what's the decision? We
15 expect to go to the decision maker,
16 logically, the Secretary of Energy, what
17 alternative to follow in implementing the
18 beginning conversion program, PEIS
19 conversion decision.

20 That brings me to this slide. We
21 are seeking your input. As Darryl said,
22 this is your opportunity to be involved in
23 the process. There's a number of ways. We
24 can obtain your comments tonight formally.

1 We also have comment cards that you can
2 submit tonight, or mail. You can e-mail
3 your comments. You can also fax your
4 comments to him. The comment period will
5 be, as Darryl said, open until the 11th of
6 January, 2002.

7 What happens next? Well, Darryl did
8 a very good job of explaining that the
9 transcripts from the scoping meetings will
10 be placed in the -- I always get this
11 confused -- reading room and information
12 resource rooms in Paducah, Portsmouth, Oak
13 Ridge and, also, DOE headquarters. We'll
14 also put a copy of it up on the DOE web
15 site.

16 We hope to have the draft out in
17 June 2002. Additional details associated
18 with public meetings to provide comments
19 will be provided in a Federal Register
20 notice shortly before it's published. The
21 final EIS we hope to have by January 2003,
22 and the record of decision, no earlier
23 than -- it's 30 days of the final PEIS.

24 Next slide.

1 Finally, as I alluded to in the
2 previous slide, we have what's called the
3 DUF-6 management web site. This is the
4 address of it up here. I hope everybody can
5 read that. There is a wealth of information
6 on that web site. The one that's on the
7 very first page that I would point everybody
8 out to is the one down here, mailing list.
9 I send out mass e-mails with the status of
10 the project regularly. I try to, anyway.
11 And if you're not on the mailing list,
12 please sign up. Okay. If you don't
13 remember if you are or not, go ahead and
14 sign up again.

15 That's it. Darryl?

16 Thank you very much.

17 MR. ARMSTRONG: Is there anyone who
18 has a question about the presentation you
19 just heard? If you'll please raise your
20 hand, I'll bring the microphone to you.
21 It's important that you speak into the
22 microphone so we can get everybody on the
23 public record. Yes, ma'am.

24 UNIDENTIFIED: According to your

1 presentation, PL15204 says that two plants
2 must be considered or must be built, if it
3 appears as though you're taking comments on
4 the possibility of building one plant,
5 anything to have an off-site conversion.
6 Isn't that contra to the law?

7 MR. MUNROE: The law says make a
8 plan, but the law doesn't say you have to
9 execute the plan. Therefore, the lawyers
10 that advise me at the Department say,
11 because of that, we need to consider
12 reasonable alternatives. Well, a reasonable
13 alternative is possibly building one plant
14 in either of the two sites. Darryl?

15 MR. ARMSTRONG: Other questions?
16 Let me also mention, it's been pointed out
17 to me that if you wish to have your name in
18 the official document, please state your
19 full name before you ask your question.

20 DAN MINTNER: Is the perception that
21 DOE would consider that the government would
22 fund those other options, meaning -- refer
23 to this as a con? Also, some drivers at the
24 Portsmouth facility from an EPA point that

1 we have to convert this material. There's
2 been some information provided to the EPA
3 that we -- this is the way we do it. The
4 EIS says, we do it the other way. Is it
5 your opinion, or lawyers' opinion, that
6 there would be any other, other than the
7 prescribed 104254? Is it DOE's opinion that
8 there would be any funding for anything
9 other than what the law prescribes?

10 MR. SHAW: Yes. I mean, right now
11 we're proceeding with the procurement
12 through the RFP process, asking for
13 contractors to come in, design and build and
14 operate two facilities. That's our
15 preferred alternative. That's what we're
16 proceeding to do.

17 DAN MINTNER: That's what Congress
18 approved, money for both sides, so on and so
19 forth?

20 MR. SHAW: So far we have not -- we
21 have asked for money to support awarding the
22 RFP, but we have to take a look at
23 reasonable alternatives in the EIS. So I'm
24 not exactly sure if I'm answering the

1 question.

2

3 DAN MINTNER: I don't think so.

4 What I'm saying, those other alternatives

5 are not the will of Congress. What

6 expectation do you think they could ever be

7 funded, so how do you think this are

8 alternative funding sources to pay for

9 those?

10 MR. SHAW: If Congress mandated that

11 we'd have to build two plants, then Public

12 Law 105204 should have been prepared,

13 planned and executed. But Public Law 105204

14 doesn't say that, it just says make a plan.

15 And down at the bottom it says, this is the

16 will of Congress.

17 DAN MINTNER: You might want to talk

18 to the lawmakers that created that law in

19 Ohio and Kentucky. I think they can give

20 you a clear interpretation, and I believe

21 they have since -- and again, I don't think

22 there's really a mention that there will be

23 any funding if not followed according to the

24 law as prescribed, period.

1 MR. SHAW: But we still need to take
2 a look at what are considered to reasonable
3 alternatives.

4 DAN MINTNER: Can they be
5 reasonable?

6 MR. SHAW: NEPA doesn't take that
7 into account. Is this a reasonable
8 alternative? It is.

9 DAN MINTNER: It's reasonable. It
10 plans on an impossibility then.

11 MR. SHAW: Is it your opinion that
12 it's an impossibility?

13 DAN MINTNER: If there's not
14 funding, it would be difficult to pay for
15 it.

16 MR. SHAW: That's true, but there's
17 still funding there.

18 DAN MINTNER: There is not funding
19 for the funding to provide this. There's
20 funding for planning. 10 million dollars on
21 two is the level I see now, but that's what
22 I see at both sites. That's not to ship it
23 to alternative location.

24 MR. SHAW: If Congress doesn't want

1 us to take a look at what NEPA says with
2 respect to reasonable alternative, then the
3 Congress needs to tell us that.

4 DAN MINTNER: Beyond 204, that they
5 wish for clear direction. There's a phrase
6 from lawmakers that it is to be two plants
7 beyond the law that you have before you. Is
8 that correct?

9 MR. SHAW: I would say, based on
10 what I've been advised, yes.

11 DAN MINTNER: Yes.

12 MR. ARMSTRONG: Other questions
13 about the presentation?

14 MR. SHAW: Thank you.

15 MR. ARMSTRONG: While I'm thinking
16 about it, if you took one of these comment
17 sheets, there's a correction that you need
18 to make on here. Where it says, "Comments
19 must be received no later than" -- scratch
20 out 26 November 2001 and insert 11 January
21 2002.

22 I'll now begin the formal comment
23 period. I've had three folks sign up. Let
24 me ask, are there any federal, state, or

1 local officials who wish to speak at this
2 time? Please step forward.

3 GRAHAM MITCHELL: My name is Graham
4 Mitchell with the State of Ohio
5 Environmental Protection Agency. Since the
6 late 1980s Ohio EPA has been concerned about
7 the long-term management issues with the
8 thousands of depleted uranium hexafluoride
9 cylinders currently in storage at the
10 Portsmouth site. The problem with this
11 aging population of cylinders will only get
12 worse over time and the cost of managing
13 them will continue to increase.

14 When the problem of the cylinder
15 management site at Portsmouth became
16 apparent, Ohio EPA cited DOE in 1990 with
17 violations of Ohio hazardous waste
18 regulations. To resolve the ensuing
19 enforcement case against DOE, Ohio EPA and
20 DOE signed orders in 1998 that set forth how
21 DOE must manage the cylinders in the
22 Portsmouth site. The orders require DOE to
23 regularly inspect, test, and maintain the
24 cylinders and the cylinder yards, and to

1 clean up DUF-6 that might be released in the
2 event of a breached cylinder.

3 The orders also included a
4 contingency plan and presented a knowledge
5 of depleted uranium hexafluoride. In other
6 words, the orders require DOE to maintain
7 safe use of the depleted uranium
8 hexafluoride. As part of these good faith
9 efforts, DOE is now evaluating the various
10 alternatives to convert DUF6 into a safer
11 form for long-term storage and disposal.

12 For the past several years
13 representatives of Ohio, Kentucky, and
14 Tennessee have been meeting with DOE to
15 address the problems that exist with these
16 cylinders in all three states. In general,
17 we support DOE's preferred alternative of
18 building two conversion plants, one at
19 Portsmouth and one at Paducah. We also
20 agree that the uranium hexafluoride
21 currently in storage at Oak Ridge should be
22 safely transported to the Portsmouth site
23 for conversion after the conversion plants
24 are constructed.

1 Through this NEPA process, we are
2 very interested in hearing from stakeholders
3 and other interested parties about the best
4 alternatives to convert and manage the DUF-6
5 inventory, and there are many very important
6 issues to resolve related to safer
7 conversion, storage of by-products,
8 transportation, and disposal options.

9 We look forward to your input into
10 the process. Thank you.

11 Let me check the registration. I
12 have two other people that have signed up to
13 speak. Is there anyone else? Vinea Colley?

14 VINA COLLEY: I'm going to give you
15 this for the administrative record and
16 project things that are on the Freedom of
17 Information and a cancer status here and ask
18 that all be put in the record.

19 MR. ARMSTRONG: If you'd like, you
20 can just use this microphone here.

21 VINA COLLEY: I'm sorry. My
22 bronchitis is acting up. My name is Vina
23 Colley, and I'm president of the group
24 called PRESS, Portsmouth/Piketon Residents

1 for Environmental Safety and Security.
2 We're a member of the Military Toxics
3 Project and alliance in accountability, A&A.
4 Past patterns and practices of the
5 DOE in handling DU-6 need to be modernized
6 and updated in accordance with what we know
7 today. In the best of conditions, the
8 cylinders are probably not a real or
9 frequent threat; however, special attention
10 needs to be given to these cylinders for
11 conversion. Fail-safe handling procedures
12 should be established based on the following
13 criteria: No deteriorated condition of
14 cylinders; the presence of highly toxic
15 transuranic elements and HF gas; the high
16 likelihood that breaches will occur; they
17 need a response team at every site to manage
18 a breach; and traveling hazardous materials,
19 HAZMAT, teams should accompany each shipment
20 for breaches that occur en route.

21 Using data already being used by the
22 health care and insurances industries, we
23 can more accurately predict exposures, the
24 resulting illnesses, and put new fail-safe

1 procedures in place. This data should be
2 collected and made available for public and
3 independent analysis. This will ensure that
4 the information is being used for the
5 benefit and protection of a new generation
6 of workers in futures operations.

7 Many times the DOE has cited that
8 the lack of data has hampered their efforts
9 to be accountable. The health care and
10 insurance industries have copious amounts of
11 data about the mortality and morbidity rates
12 in the communities and areas surrounding
13 these sites.

14 The local hospitals, doctors, and
15 insurance agents own the data to prove a
16 link between the people's illnesses and the
17 DOE site. I've attached a form that came
18 from Western Southern Life Insurance Company
19 in 1992 showing the Scioto Counties -- shows
20 a cancer cluster. The data is there and
21 there are no more excuses.

22 In 1992 Scioto County had 439 cases
23 of cancer, new cases. Piketon had 30 cases
24 and, of course, we know that most people

1 either go to Scioto County or they go out of
2 town for cancer.

3 Usually -- include the following
4 concerns when setting the scope of the
5 Environmental Impact Statement and/or
6 Assessment. When considering the geographic
7 scope, we ask the following be included, but
8 not limited to: Off-site contamination of
9 the air, water, and soil; and the quality --
10 air quality effects from past patterns and
11 practices, particularly the formula of HF
12 gas when the DUF-6 is exposed to the air,
13 and what happens when it travels off-site?

14 Water quality effects including but
15 not limited to the stream, the watershed,
16 the river basin and aquifers; effects of the
17 resident wildlife. The fish that remain are
18 deformed with horns. In Piketon there are
19 deformed small farm animals and radioactive
20 fish in the nearby rivers; deformed deer and
21 smaller mammal populations.

22 When considering the cumulative
23 environmental effects include, but shall not
24 be limited to, the frequent and repetitive

1 effects on the environment; i.e., the
2 continuous risk of handling the old
3 containers and the buildup of contaminants
4 in infrastructure with repeated exposures
5 and breaches; include the delayed effects of
6 radiation exposure; health monitoring long
7 after exposures, inventory plants and
8 wildlife to monitor migration of DNA defects
9 from exposure as it moves up the food chain;
10 study the additive effects of the multiple
11 contaminants in the environment; indirect
12 and secondary effects; i.e., no other
13 industries will relocate to the area because
14 of the high rate of illness and sick work
15 force.

16 David Koslowski -- I'm not sure if
17 I'm pronouncing his name right -- said,
18 "Uranium hexafluoride is highly corrosive.
19 Sites such as Piketon, he said, are regarded
20 as potential general emergency sites by the
21 DOE, meaning if there is a gaseous
22 formation, it could require evacuation of
23 nearby areas. Cylinders that are described
24 by DOE as "slightly contaminated" become a

1 problem equal to high-level radioactive
2 waste as they age because of daughter
3 products of the contaminants and the DUF-6
4 that are formed during decay.

5 Before 1992 the Piketon site
6 accepted high assay material from
7 international sources and down-blended it to
8 make it usable in the U.S. market. We would
9 like the foreign DUF-6 evaluated for
10 transuranic elements, because we have no
11 knowledge of how the waste was generated,
12 handled or stored, and it could contain high
13 amounts of toxic contaminants that we will
14 know nothing about until we test and sample
15 the waste.

16 We feel the need for DOE to employ
17 1,000 workers to clean up the site, put
18 Piketon in cold storage, restore quality to
19 the air and the water, end the pollution at
20 the source, decommission and decontaminate
21 the site before you try to build another
22 facility. We favor a method of immediate
23 disposal that would reclassify this DOE
24 DUF-6 as high-level radioactive waste due to

1 the variety and amount of unknown
2 contaminants and decayed product and
3 disposed of immediately in deep, dry storage
4 areas where it can be somehow rendered
5 immobile and left alone. This particular
6 inventory of DUF-6 is not a clean and good
7 product and should not be handled repeatedly
8 as proposed.

9 Now, I do want to say that I'm very
10 disappointed in the Ohio EPA that they would
11 consider moving those cylinders from Oak
12 Ridge up here. In September of 1992 in the
13 cylinder yard there was a valve knocked off
14 of one of the cylinders and there was an
15 airborne pollutant, and I put this into many
16 other meetings. There was an airborne
17 threat that I -- and not the first alarm for
18 the community residents was even sounded; as
19 a matter of fact, the company denied this
20 happened. I monitored and heard it on my
21 home scanner. The airborne pollutant left
22 the site. It went towards the National
23 Guard building and over toward Wakefield.
24 I've been told that Vernald had a

1 DU-6 conversion facility, and I'm wondering
2 what happened to the uranium hexafluoride
3 facility. Vernald was shut down. Did that
4 have anything to do with them building this
5 conversion facility there?

6 I now have another request. Mark
7 Reskof has been working with our
8 organization to get documents about the
9 ground water contamination, and for the last
10 11 months we have requested documents, and I
11 have gathered a copy of all the documents we
12 asked. And as of today we have not got one
13 single document under the Freedom of
14 Information Act. And my request to you
15 before we go on, do have these documents --
16 we have to know what's in these cylinders,
17 because we weren't supposed to have
18 plutonium at the site, and we did have
19 plutonium, and this DU has plutonium also.

20 This is a statement from Lisa Helms,
21 a national organizer for the Military Toxics
22 Project. The DOE claimed that trace amounts
23 of plutonium and other elements are not an
24 issue, yet there's no evidence or data to

1 support that statement. Some trace
2 contaminants are highly significant, like
3 plutonium, because safe minimum exposure
4 levels cannot be established. The treatment
5 of contamination of the stockpile with the
6 transuranic elements as insignificant by the
7 DOE means lives -- lost my place -- the
8 treatment of contamination -- as
9 insignificant by the DOE means a new
10 generation of workers will be exposed to the
11 dangers of dirty DU.

12 DOE spokesperson Beverly Cook, DOE's
13 Idaho operations manager, said, referring to
14 plutonium, "Since the late 1940s,
15 government-sponsored research shows that
16 very small particles lodge deeply in the
17 lungs where they remain indefinitely."
18 According to respected scientists, as little
19 at 80 millionths of a gram of plutonium
20 inhaled guarantees a fatal case of lung
21 cancer after 85 percent of the plutonium has
22 been exhaled." The EIS should specifically
23 address the plutonium or transuranics
24 present in the stockpile.

1 Before DOE builds a new facility,
2 there should be testings and sampling to
3 determine how much, if any, of the DUF-6
4 stock is clean enough to use or convert.
5 The risks and costs are considerable in a
6 plan to transport, handle, and move the
7 disintegrating cylinders when the material
8 might be usable. Assessing the types,
9 levels, and amounts of the transuranic
10 elements and the aging by-product of the DOE
11 stock should be a priority.

12 New methods of handling must be
13 established in order to protect everyone
14 working on the conversion site and the
15 surrounding community without exception. At
16 the Portsmouth site, if DOE will be
17 demolishing the old gaseous diffusion
18 facility in order to build the conversion
19 facility, current and past workers have
20 expressed the biggest exposure problems will
21 be in the dust that lies within the facility
22 walls, pipes, air ducts, and the physical
23 plant. The EIS must consider contamination
24 of the facility as well as the health and

1 safety of the construction and demolition
2 workers.

3 Converting the entire stockpile of
4 depleted DU-6 will lead to more than 50,000
5 empty cylinders will increase the already
6 massive problem of how DOE is to dispose of
7 slightly contaminated scrap. The EIS must
8 consider what to do with the empty
9 cylinders.

10 The EIS should assess the economic
11 impact of this facility on their region,
12 including the following. Conduct a health
13 inventory of the current and past workers
14 and civilians within a 36-mile radius of
15 Piketon and Paducah sites to figure the
16 costs to the community when workers are made
17 too ill to work or when they get laid off
18 and cannot sustain a living. Data can be
19 gathered from the health care and insurance
20 industries, made available for public and
21 independent analysis, and used to estimate
22 future mortality and morbidity rates of all
23 people at risk.

24 The number of job provided by the

1 construction and operation of the conversion
2 facility versus the number of jobs that can
3 be provided with reclamation and restoration
4 of the environment and final cleanup during
5 shutdown procedures of the decommissioning
6 and decontamination, and the operation of
7 cold storage. There are significant
8 uncertainties regarding the time and cost
9 needed to accomplish the preferred plan.

10 The most expensive conversion
11 operation is the preferred plan by the DOE,
12 DUF-6 to metal, yet there is no active
13 market for the metal. Once it is in -- once
14 it is converted into metal, it cannot be
15 stored for long periods or be disposed of at
16 any of the low-level disposal sites in the
17 U.S. The EIS must address what to do with
18 the metal once it is converted.

19 The extent of reporting and
20 characterization of trace radionuclides in
21 DUF-6 stock is a significant uncertainty
22 that could adversely affect the costs of
23 handling, transporting, and disposal. The
24 EIS should include an analysis of the cost

1 to handle, transport and dispose of
2 contaminated stock.

3 The NRC has expressed concerns about
4 the near-surface disposal of large amounts
5 of DU in any form. The EIS should
6 specifically address disposal of all forms
7 of converted DU.

8 The EIS should address the cost to
9 build, maintain, and operate the conversion
10 facility.

11 The EIS should calculate the
12 long-term economic impacts on the community;
13 for example, the potential loss of other
14 industries due to lowered land values, and
15 the threat of contaminated air and water
16 supplies by radioactive waste. The lack of
17 economic diversity can have devastating,
18 long-term effects.

19 The EIS should consider the cost of
20 retaining workers. These economically
21 stressed regions of our country become the
22 dumping ground for the pollution-based
23 industry and government operations. It is
24 predatory to offer pollution-based jobs in

1 an area where people are depressed for work,
2 while promoting the idea that everyday life
3 is more dangerous than working near toxic
4 waste. When we hear propaganda like, "there
5 is no danger," and, "there is radiation all
6 over the earth," and, "you are exposed in
7 everyday life," it is hard to believe the
8 rest of what you hear from the same source.
9 These offers are not made in areas where the
10 work force has a choice. They are generally
11 made where the workers have no other
12 choices.

13 We favor a method of handling that
14 is fail-safe -- meaning no one can possibly
15 be exposed, ever -- a method that will clean
16 up and decontaminate a site before a new
17 facility is built, and a disposal process
18 that binds the radionuclides, rendering them
19 benign and immobile before final storage.

20 The workers are the greatest risk
21 because they are exposed to the
22 radionuclides and the highest
23 concentrations.

24 The second group that stands to be

1 exposed is the workers' family and the
2 children not yet born. There's no form of
3 protection that is too expensive when you
4 consider the cost of human suffering and
5 loss of a loved one. Finally, we favor a
6 plan that includes and expects active
7 involvement from the communities that are
8 most directly affected, because we believe
9 that public participation is necessary to
10 ensure a safe and healthy community.

11 I'd like to make one other comment
12 as to the stakeholder process here at
13 Piketon plant. They claim they have a
14 stakeholder process, and I'm one of those
15 stakeholders, but I haven't been in a
16 stakeholder meeting for two years. But yet,
17 I have a group who is doing a survey about
18 the longtime stewardship of the site, and
19 they've talked to the stakeholders. Now, if
20 they've had meetings, I haven't been
21 informed. As far as I know, they haven't
22 had a stakeholders meeting at this point.
23 But yet, they use these people to put in
24 little family get-togethers and -- but they

1 don't come to the community and don't listen
2 and don't hear that these workers are sick
3 and dying.

4 You go ahead. You want to move all
5 the cylinders up here, you go ahead. But
6 I'll tell you, there will be more cry in
7 this community than you've ever heard.

8 MR. ARMSTRONG: The next person
9 signed up to speak is Dan Mintner.

10 DAN MINTNER: My speech will be a
11 little longer than Vina's. First off, I'm a
12 bit shocked at the -- I heard that rumor
13 about the DOE's lawyers' decision about a
14 single low plant option or doing it
15 somewhere else. Obviously, it was clear in
16 the environmental impact statement. Being
17 involved in this since the beginning with
18 the Ohio EPA, their concerns about this
19 material, we were able to articulate a plan,
20 even secure funding of about 370-some
21 million dollars potentially for the EIS
22 towards this. This would be a good start.
23 If I could refer to the econo acts. There
24 are several persons who wrote a great

1 portion of that legislation. It was never
2 the intention for this, no plants, or
3 neither plant, or one plant option, and I'm
4 sure the lawmakers are aware of that. And I
5 think that being a public statement is
6 important tonight. I heard that by the
7 administration in the White House two weeks
8 ago. I was shocked then, even referring to
9 the final statement by your own documents.

10 And again, not to read as much as
11 Vina did, but the conversion of DUF-6 will
12 take place at each plant of the Portsmouth
13 and Paducah gaseous diffusion plants. It's
14 pretty clear that even you understood at
15 that time that was the intent of Congress.
16 It was the intent of the lawmakers, so I'm a
17 bit shocked at that.

18 Let's switch to the purpose of the
19 Environmental Impact Statement. I represent
20 a number of workers here that are the
21 workers that would perform this activity for
22 the RPF that have the right of first
23 refusal. Unsafe environmental needed
24 process. I know there's some concern about

1 bringing the cylinders from Oak Ridge, but
2 because of the volume, it would have to be
3 done in a safe way. I understand Vina's
4 concern for that, but we also understood the
5 need for that to be generated to a single
6 facility.

7 And economics, I can't believe that
8 be done in an environmentally safe and sound
9 way, but that would be our first and most
10 important, to be sure it was done safely.

11 Two, I guess it would have to -- you
12 have to do it. First of all, you have to
13 build a facility, et cetera and so on. I'd
14 like to remind folks, I don't think we'd
15 have this fudging if it wasn't for the
16 environmental process. The Ohio EPA has a
17 good arrangement. Some other regulatory
18 issues, the -- potential can be used for
19 this. I don't know that we'd even be
20 dealing with the issue if it wasn't for
21 individual efforts of stakeholders, and
22 that's taken efforts. It's ensured we're
23 where we are today.

24 It's just appalling to me it doesn't

1 come to a fruition. So it looks like it's
2 back to the policies and for the folks at
3 DOE, and we'll see if we can get that done
4 here shortly. I think that's really the
5 crux of this. We want it done safely. We
6 want it done environmentally sound. We
7 would expect it to go as planned.

8 This isn't something that just
9 happened. I questioned whether we would do
10 this under EPA accelerated versus
11 environmental impact. I suspect that's not
12 an option. That might have been the reason
13 at one point. But again -- I think that
14 will conclude my comments rather than going
15 too lengthy, so --

16 MR. ARMSTRONG: Thank you, sir. Is
17 there anyone who has not signed up that
18 wishes to speak? This public record will
19 remain open and accept comments from you
20 through January 11th, 2002. Comments that
21 are postmarked by this date will be included
22 in the public record. If you wish to have
23 your comments on the official record after
24 tonight, you may submit written comments to

1 Kevin Shaw with the U.S. Department of
2 Energy. Comments can be submitted through
3 the U.S. Postal Service., by fax, by e-mail,
4 and through the project web site mentioned
5 previously, and that information is on the
6 back of this brochure.

7 Ladies and gentlemen, the time is
8 7:05, according to my watch. I want to
9 thank each of you for coming this evening.
10 I'm always comforted to know of people
11 willing to give up their time to attend such
12 meetings, especially when the weather is as
13 bad as it is outside. Margaret Mead never
14 doubted that a small group of people can
15 change the world. Indeed, it's the only
16 thing that ever does.

17 Your participation has made this
18 meeting a success, and we thank you for your
19 attendance. Please be safe when you drive
20 home.

21 The time is 7:06. The meeting is
22 officially adjourned. The folks from DOE
23 will remain for as long as you'd like to
24 visit with them. Thank you for coming.

1 --O--

2 Thereupon, the meeting of November
3 28, 2001, was concluded at 7:06 p.m.

4 --O--

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1 CERTIFICATE

2 STATE OF OHIO :
3 COUNTY OF FRANKLIN : SS:

4 I, Dawn M. Morrison, a Notary
5 Public in and for the State of Ohio, duly
6 commissioned and qualified, do hereby
7 certify that the within-named meeting was
8 given was reduced to stenotypy in the
9 presence of said attendees, afterwards
10 transcribed; that the foregoing is a true
11 and correct transcript of the testimony to
12 the best of my ability; and that this
13 meeting was taken at the time and place in
14 the foregoing caption specified.

15 I do further certify that I am not
16 a relative, employee, or attorney of any of
17 the parties hereto; that I am not a relative
18 or employee of any attorney or counsel
19 employed by the parties hereto; that I am
20 not financially interested in the action;
21 and further, I am not, nor is the court
22 reporting firm with which I am affiliated,
23 under contract as defined in Civil
24 Rule 28(D).

15 In witness whereof, I have
16 hereunto set my hand and affixed my seal of
17 office at Columbus, Ohio, on this day
18 of , 2001.

19 Dawn M. Morrison
20 Notary Public, State of Ohio

21 My commission expires: 02-16-2005

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